

**United States**  
**Department of the Interior**  
**Bureau of Land Management**

*Miles City Field Office*

**Exploration to Determine  
Available Scoria Reserves**

Categorical Exclusion (CX)  
DOI-BLM-MT-C020-2013-0051-CX

*For Further Information Please Contact:*

Bureau of Land Management  
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Miles City, Montana 59301  
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BLM



UNITED STATES DEPARTMENT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
*Miles City Field Office  
111 Garryowen Road  
Miles City, Montana 59301*

## CATEGORICAL EXCLUSION REVIEW AND APPROVAL

### A. Background

BLM Office: Miles City Field Office

Lease/Serial/Case File No.: None

NEPA Number (If Applicable): DOI-BLM-MT-C020-2013-0051-CX

Proposed Action Title/Type: Exploration to Determine Available Scoria Reserves

Location of Proposed Action (include county):

SW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 10, T. 27 N., R. 56 E. PMM

NE $\frac{1}{4}$ SW $\frac{1}{4}$  sec. 15, T. 27 N., R. 56 E. PMM

All in Richland County, MT

Description of Proposed Action:

The Bureau of Land Management Miles City Field Office (BLM-MCFO) proposes to explore for potential scoria reserves at the potential Highway 16 Scoria Pit. This will consist of tracking a backhoe 0.2 miles across state land to the work site. The backhoe will then be used to construct several pits. These pits will be as much as 20 feet long and ten feet deep and 4 feet wide with a 4 foot buffer area on each side of the pit. Upon completion of digging the pit the interior will be surveyed using hand tools. Upon completion of the survey the pit will be filled and re-contoured. This could result in as much as 1680 square feet (0.04 acres) of surface disturbance for the construction of the exploration pits. Further mineral surveying will also be conducted using hand tools such as picks and shovels, all surface disturbances associated with these activities will be minor and re-contoured upon completion. Work within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  sec. 15, T. 27 N., R. 56 E., will be restricted to the west side of the existing two track trail.

### B. Land Use Plan Conformance

Land Use Plan Name: Big Dry Resource Management Plan (RMP)

Date Approved/Amended: 1996/2000

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

*The BLM responds to the requests for sand and gravel used in road surfacing and maintenance. The BLM issues free use permits and sales contracts for mineral materials where disposal is considered to be in the public interest, while providing for reclamation of mined lands, and preventing undue and unnecessary degradation of nonmineral resources. Mineral materials permits are considered on a case-by-case basis and issued*

at the discretion of the area manager (Big Dry RMP, 1996/2000). This exploration is being conducted for the purpose of determining quantities and quality of scoria. Based upon the results of the exploration, BLM could make scoria available by conducting a competitive sale and potentially issuing a permit to mine mineral materials for road surfacing and maintenance and therefore is in compliance with the Big Dry RMP.

**C: Compliance with NEPA:**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, F.9 Digging of exploratory trenches for mineral materials, except in riparian areas.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and, as documented below, none of the extraordinary circumstances described in 516 DM2 apply.

Extraordinary Circumstances		
The project would:		
1. Have significant impacts on public health or safety.		
Yes	No  NLA 1/3/2013	<b>Rationale:</b> <i>Explain why the project would not have significant impacts on public health and safety by describing how the action is designed or planned to keep impacts to a minimum and not impair public health or safety.</i> The excavation and reclamation of the trenches will be conducted in a safe and prudent manner. All the excavated trenches will be refilled and recontoured prior to BLM personnel leaving the work site.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		
Yes	No  NLA 1/3/2013	<b>Rationale:</b> <i>Identify if any of the above concerns are present in the impact area. Demonstrate how impacts would or would not be significant. Specify Areas of Critical Environmental Concern, Wilderness Study Areas, Monuments, and other areas with special designation. BLM shall determine whether a proposed action will occur in a floodplain or wetland area. If an action would significantly impact a floodplain or wetland area, this extraordinary circumstance would apply and alternatives must be considered.</i> None of the Items above apply to this location. The proposed action is limited in scale to less than 1/10 <sup>th</sup> of an acre will not easily be discerned from Highway 16 or the Missouri River and re-vegetation is anticipated to occur the following spring.

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
<b>Yes</b>	<b>No</b>  <b>NLA</b> <b>1/3/2013</b>	<b>Rationale:</b> <i>Controversy over environmental effects pertains specifically to disagreement over the nature of the impacts among those with special expertise. Controversy does not reflect the level of public concern, support or opposition for an action. Explain whether the impacts of the action are well-known and demonstrated in other projects that have been implemented and monitored. Cite monitoring reports done for similar projects and the conclusions of the reports.</i> The proposed action is limited in scale to less than 1/10 <sup>th</sup> of an acre and re-vegetation is anticipated to occur the following spring. The backhoe will be tracked in over frozen ground and likely snow reducing impacts to soil and vegetation.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
<b>Yes</b>	<b>No</b>  <b>NLA</b> <b>1/3/2013</b>	<b>Rationale:</b> <i>Categorically excluded actions generally have very predictable consequences well established as insignificant. If an impact of an action cannot be predicted due to varying circumstances, has potential to be significant, additional analysis would be necessary, and a higher level of documentation would likely be appropriate.</i> The proposed action is limited in scale to less than 1/10 <sup>th</sup> of an acre and re-vegetation is anticipated to occur the following spring. The backhoe will be tracked in over frozen ground and likely snow reducing impacts to soil and vegetation.
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		
<b>Yes</b>	<b>No</b>  <b>NLA</b> <b>1/3/2013</b>	<b>Rationale:</b> <i>Explain whether the action is connected to another action that would require further environmental analysis or if it would set a precedent for future actions that would normally require environmental analysis.</i> This action would not establish a precedent as exploration trenches are explicitly categorically excluded under 516 DM 11.9. Any future mining that may occur as a result of this action is speculative and therefore not interrelated to the proposed action. Furthermore additional NEPA analysis will be conducted prior to any mining and the significance of environmental effects associated with this mining will be determined at that time.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
<b>Yes</b>	<b>No</b>  <b>NLA</b> <b>1/3/2013</b>	<b>Rationale:</b> <i>See CFR 1508.7.</i> The proposed action is limited in scale to less than 1/10 <sup>th</sup> of an acre and re-vegetation is anticipated to occur the following spring. The backhoe will be tracked in over frozen ground and likely snow reducing impacts to soil and vegetation.

7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		
Yes	No  <b>X</b>	<p><b>Rationale:</b> <i>Confirm that cultural surveys have been completed; the appropriate data bases have been reviewed; and appropriate concurrence from SHPO and tribes have been received indicating that significant impacts are not expected.</i></p> <p>The location of the proposed exploration areas have been inventoried for cultural resources in 2012. No cultural resources were observed in the inventoried areas. The exploration would have no effect to cultural resources listed on or eligible for listing on the National Register of Historic Places. Due to the nature of the surface and scoria outcrops, paleontological resources are not expected to occur in the exploration areas (See BLM Cultural Resources Report MT-020-13-087). DM 01/21/2013</p>
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		
Yes	No <b>X</b> <b>KU</b> <b>1/17/13</b>	<p><b>Rationale:</b> <i>Confirm that the appropriate level of Threatened and Endangered Species review, surveys, and coordination and any required consultation, conformance, or concurrence from the U.S. Fish and Wildlife Service has been received indicating that impacts would not be significant. If applicable confirm that coordination with the appropriate state wildlife management agency has been completed.</i></p> <p>Although the area is in close proximity to the Missouri River and is within the identified whooping crane migration corridor, the proximity to the state highway and general location of the proposed action would negate use of the area by whooping cranes in the spring and fall time periods. The subject area does not contain habitats for Threatened or Endangered species nor does it contain designated critical habitats.</p>
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		
Yes	No <b>KU</b> <b>1/17/13</b>	<p><b>Rationale:</b> <i>Examples include Migratory Bird Treaty Act, Fish and Wildlife Coordination Act, county ordinances, and state statutes. Include or reference the results of coordination and consultation with the appropriate agencies and officials indicating that the law would not be violated.</i></p> <p>Work would not occur from 4/15-7/15 to mitigate effects to nesting activities of migratory bird species in the proposed action area.</p>
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		

<b>Yes</b>	<b>No</b>  <b>NLA</b> <b>1/3/2013</b>	<b>Rationale:</b> <i>State whether such populations are present and whether they would receive disproportionately high and adverse human health or environmental effects. State whether health or environmental statutes would be compromised. The Environmental Protection Agency has developed guidance on addressing environmental justice issues (www.epa.gov).</i> Due to the geographical and temporal scope of the proposed action it is not anticipated to affect any low income or minority.
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		
<b>Yes</b>	<b>No</b>  <b>X</b>	<b>Rationale:</b> <i>Consultation with tribes regarding Indian sacred sites must take place</i>  The proposed action would not limit use or access of public lands. No areas of concern are identified in or near the project area in the Ethnographic Overview of Southeast Montana  DM 01/21/2013
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		
<b>Yes</b>	<b>No</b>  <b>NLA</b> <b>1/3/2013</b>	<b>Rationale:</b> <i>Introduction as well as spread within the area must be considered.</i> Due to the geographical scope, temporal scope and timing of the proposed action it is not anticipated to result in the introduction of noxious weeds.

  
 \_\_\_\_\_  
**Environmental Coordinator**

**2/19/2013**  
**Date**

**D. Benoit 2/19/13**  
**D. Breisch 2/19/13**

I considered the proposed action to dig several exploration trenches and have determined that the Action does not cause any significant impacts and use of this CX is appropriate. I have decided to implement this action.



**D: Signature**

Authorizing Official: \_\_\_\_\_ Date: 2/20/2013  
(Signature)

Name: Todd Yeager.

Title: Field Manager.

**Contact Person**

For additional information concerning this CX review and decision, contact:

Nate Arave  
Solid Minerals Geologist  
Bureau of Land Management  
Miles City Field Office  
111 Garryowen Road  
Miles, City, Montana 59301

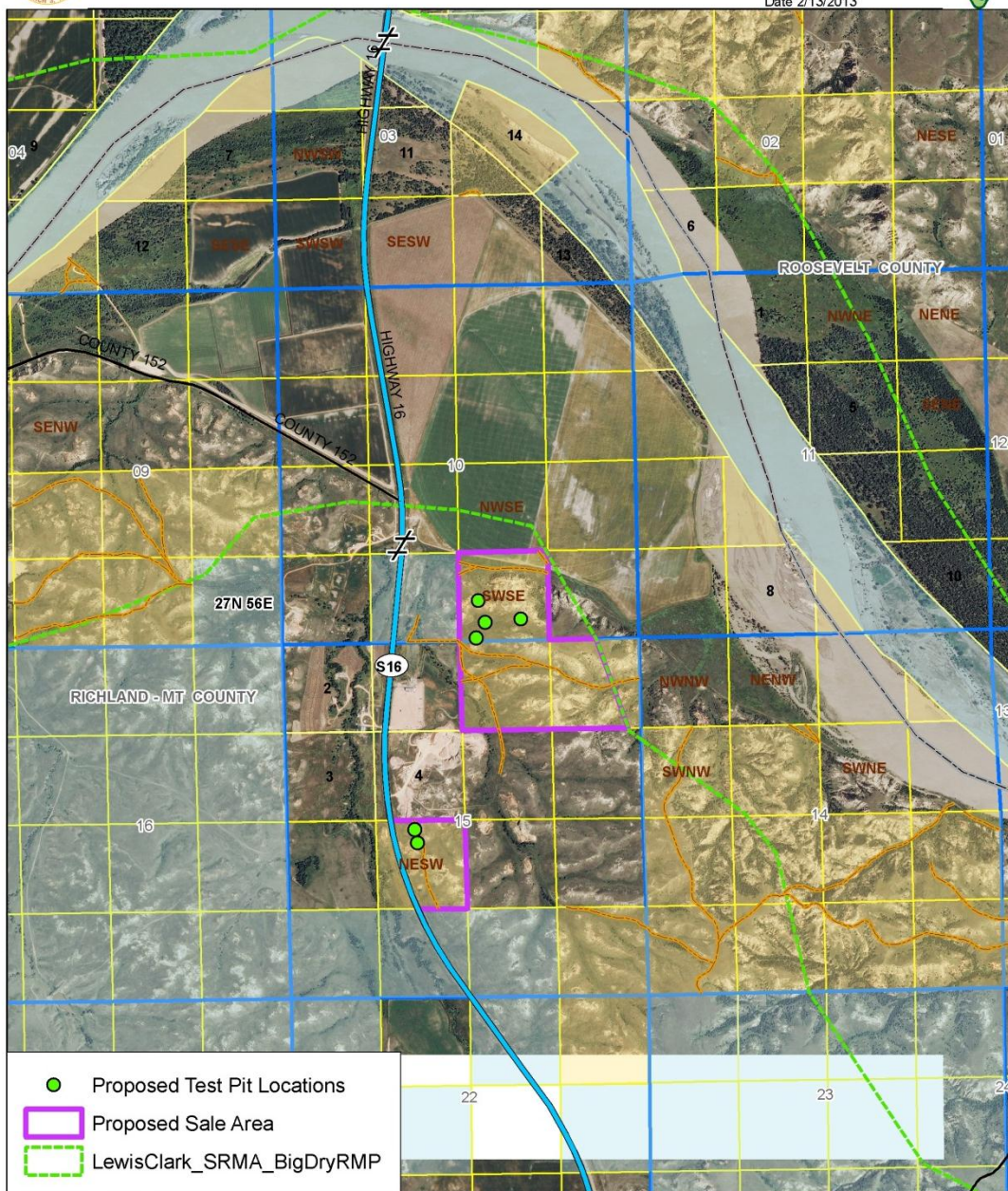
Telephone: 406-233-3163





# Proposed Scoria Sale

Date 2/13/2013



Proposed Parcels:  
SW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 10, T. 27 N., R. 56 E. PMM  
NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$  sec. 15, T. 27 N., R. 56 E. PMM

Projected Coordinate System: NAD 1983 Albers  
Geographic Coordinate System: GCS North American 1983  
Datum: D North American 1983

1:24,000

0 0.04 0.08 0.16 0.24 0.32  
Miles



UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
MILES CITY FIELD OFFICE

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